

## **REMARKS/ARGUMENTS**

Reconsideration and withdrawal of the rejection of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

### **I. STATUS OF THE CLAIMS AND FORMAL MATTERS**

Claims 1-9, 11-35, 37-41, and 43-50 are currently pending. Claims 49 and 50 are newly added. Support for the newly added claims is provided throughout the Specification, specifically at pages 27, 39, and Figure 4.

No new matter has been introduced. It is submitted that these claims, as originally presented, were in full compliance with the requirements of 35 U.S.C. §112. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

### **II. SUPPORT FOR THIS AMENDMENT**

Citations to Figures and Specification locations are provided. However, such citations are provided merely as examples and are not intended to limit the interpretation of the claims or to evidence or create any estoppel.

As an example, support of the amendment can be found at pages 27 and 39, which is reproduced as follows:

Page 27, "The optical disk apparatus 1 compresses a video signal and an audio signal of a result of image pickup by means of the video encoder 11 and the audio encoder 12 to individually convert them into elementary streams and then converts the elementary streams into a QuickTime movie file by means of the file generator 15 . Data of the QuickTime movie file is sent successively through the memory controller 18 , error correction encoder/decoder 21 , and data modulator/demodulator 23 to the optical pickup 33 . The data of the QuickTime movie file is recorded on the optical disk 2 by the optical pickup 33 or by the optical pickup 33 and the magnetic field head 32 together with data of an index file and so forth. The index file is a file for indexing in which QuickTime movie files recorded on the optical disk 2 are recorded as object files for management."

Page 39, "The index file is configured in such a manner as illustrated in FIG. 4 in conformity with such a configuration of a QuickTime movie file as described above. In particular, the index file is formed from an index atom 70 and an index data atom 71 corresponding to the movie atom 40 and the movie data atom 41 of the QuickTime movie file, respectively. The index data atom 71 includes actual data of a disk title, actual data of extract information of the files, and forth allocated as chunks thereto. Meanwhile, management information of the actual data allocated to the index data atom 71 is allocated to the index atom 70."

### III. REJECTIONS UNDER 35 U.S.C. §103(a)

Claims 1-9, 11-35, 37-41, and 43-48 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,144,969 to Inokuchi et al. (hereinafter, merely "Inokuchi") in view of U.S. Patent No. 5,440,401 to Parulski et al. (hereinafter, merely "Parulski").

#### IV. RESPONSE TO REJECTIONS

Claim 1 recites, *inter alia*:

A recording apparatus for recording video files and audio files on a recording medium, comprising:

index file generation means for generating an index file of the files recorded on the recording medium, said **index file having a series of entries each being a block of extract information** relating to and coordinated with one of the files recorded on the recording medium;

said **index file comprising respective files**, each associated with a different attribute selected from a plurality of attributes and each including a header and data related to said attribute,

**classification means for classifying the block of extracted information included in each entry according to the plurality of attributes....**

The index file of claim 1 includes at least the following features:

1. “Respective files.” Each of the “respective files” is “associated with a different attribute selected from a plurality of attributes.”
2. “A series of entries.” Each entry is “a block of extract information relating to and coordinated with one of the files recorded on the recording medium.” Blocks in each of the entries are “**classif[ied] according to the [same] plurality of attributes [as that of the respective files].**”

Applicants respectfully submit that Inokuchi and Parulski, taken either alone or in combination, fail to disclose or render predictable the above-identified features of claim 1.

The Final Office Action of June 19, 2009 (see page 4) concedes that Inokuchi fails to disclose or suggest the above-identified features of claim 1 and relies on Column 5, lines 50-56 of Parulski to reject “**classification means for classifying the block of extracted**

information included in each entry according to the plurality of attributes,” as recited in

claim 1. The cited portion of Parulski describes:

When the montage button 210 (FIG. 1) is pressed by the user, the CD reader moves to the index file data track and reads some of the data from the index image records into memory. Depending on the number of stored images indicated by the index file 31 (FIG. 2), either a single montage, or a plurality of montage images, may be stored into memory 50. In order to produce a montage of up to four images, as diagrammatically illustrated in FIG. 7, the four 256×384 low resolution records are read into memory 50 in such a manner that the first image 401 is placed in the upper left corner, the second image 402 is placed in the upper right corner, the third image 403 is placed in the lower left corner and the fourth image 404 is placed in the lower right corner. Text generator 62 overlays the numbers of the four images in the appropriate locations. Because the data for these four images is all stored together in index image file 31 shown in FIG. 2, the montage is created much faster than if the low resolution image information had to be retrieved from the four high resolution files 32-1, 32-2, 32-3 and 32-4, since the time required by the CD reader to access these four files is four times as long as the time required to access the single index image file.

The Final Office Action of June 19, 2009 (see page 21) interprets the cited portion of Parulski as “in order to display the full screen, the block of retrieved images are being classified as first index, second index etc”. Applicants respectfully disagree. The cited portion of Parulski merely describes sequentially reading images and placing them in a position on a screen. Parulski fails to disclose or render predictable **classifying the read image according to the same plurality of attributes that are associated with the respective files in an index file.**

Applicants respectfully submit that nothing in the cited portion of Parulski discloses or renders predictable that **“classification means for classifying the block of extracted information included in each entry according to the plurality of attributes,”** as recited in claim 1.

Therefore, Applicants submit that independent claim 1 is patentable.

For reasons similar to those described above with regard to independent claims 5, 7, 9, 11, 32-35, 36-41, 43, and 47 are also patentable.

## **V. DEPENDENT CLAIMS**

The other claims are dependent from one of the independent claims, discussed above, and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

Similarly, because Applicants maintain that all claims are allowable for at least the reasons presented hereinabove, in the interests of brevity, this response does not comment on each and every comment made by the Examiner in the Office Action. This should not be taken as acquiescence of the substance of those comments, and Applicants reserve the right to address such comments.

## **CONCLUSION**

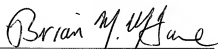
In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference or references, it is respectfully requested that the Examiner specifically indicate those portions of the reference or references providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that claim 4 is patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,

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